

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
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FISCAL IMPACT STATEMENT

LS 6020

BILL NUMBER: HB 1280

DATE PREPARED: Oct 8, 2001

BILL AMENDED:

SUBJECT: Suspension of Vehicle Registration and Plates.

FISCAL ANALYST: James Sperlik

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FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill requires the Bureau of Motor Vehicles (BMV) to maintain as part of a person's operating record a list of any suspensions or revocations of the certificate of registration or license plate of a motor vehicle owned by the person. It requires a court to order suspension of the certificate of registration and license plate of a vehicle owned by or registered to a person who is convicted of operating a vehicle while intoxicated whenever the court recommends suspension of the person's driver's license. The bill requires a court to order suspension of the certificate of registration and license plate of a vehicle owned by or registered to a person who is convicted of operating a vehicle while intoxicated if the person does not hold any type of valid driver's license. It provides that a person who has had a suspension of registration and license plate may receive a reinstatement license plate from the BMV that contains a unique series of letters and numbers that may be identified by a law enforcement officer. The bill provides that a person who is aggrieved by a suspension of registration and license plate may seek judicial review. It sets a fee for the reinstatement of vehicle registration.

Effective Date: July 1, 2002.

Explanation of State Expenditures: This bill will require start-up costs for the (BMV) estimated at \$32,093. These costs consist of computer changes for the new license plate estimated at \$28,960; computer changes for restricted issuance of the plate estimated at \$533; and the plate design estimated at \$2,600. The fund affected is the Motor Vehicle Highway Account which supports the BMV. These costs can be absorbed within their current budget. The proposal allows the BMV to adopt rules to implement the proposal. Annual on-going costs are estimated at \$3,835 and consist of new plates, ordering, and distribution costs.

Explanation of State Revenues: The proposal provides for a reinstatement fee of \$10. The specific amount of revenue generated from this newly created fee will depend upon the number of violations and reinstatements. The fund affected is the Motor Vehicle Highway Account which supports the BMV. The revenue generated may cover the costs listed above in the Explanation of State Expenditures.

Penalty Provision: Violations of certain provisions of the bill can result in a Class C misdemeanor. If additional court cases occur and fines are collected, revenue to both the Common School Fund and the State General Fund would increase. The maximum fine for a Class C misdemeanor is \$500. Criminal fines are deposited in the Common School Fund. If the case is filed in a circuit, superior, or county court, 70% of the \$120 court fee that is assessed and collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the State General Fund.

If a criminal action, infraction, or ordinance violation involves a traffic violation, including this proposed offense, a highway work zone fee of either 50 cents or \$25.50 is assessed.

Explanation of Local Expenditures: *Penalty Provision:* A Class C misdemeanor is punishable by up to 60 days in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44.

Explanation of Local Revenues: *Penalty Provision:* If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$120 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected: Bureau of Motor Vehicles.

Local Agencies Affected: Trial courts.

Information Sources: Jane Morrical, Director of Financial Services, BMV, 232-2822.